



HUNTON & WILLIAMS LLP  
550 SOUTH HOPE STREET, SUITE 2000  
LOS ANGELES, CALIFORNIA 90071-2627

TEL 213 • 532 • 2000  
FAX 213 • 532 • 2020

P. SCOTT BURTON  
DIRECT DIAL: 213 • 532 • 2108  
EMAIL: SBurton@hunton.com

FILE NO: 74096.000007 [56458982]

July 10, 2015

**VIA EMAIL AND OVERNIGHT MAIL**

Mr. Peter Magolske  
U.S. Environmental Protection Agency  
Office of Compliance and Enforcement  
M/S OCE-127  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101

Mr. Brian Monson  
Idaho Department of Environmental Quality  
1410 North Hilton Street  
Boise, ID 83706

Re: Quarterly Progress Report – Second Quarter 2015 (April 1 – June 30)  
Administrative Order on Consent, Docket No. RCRA-10-2009-0186  
Nu-West Industries, Inc. Conda Phosphate Operations

Dear Mr. Magolske and Mr. Monson:

In accordance with Paragraph No. 72 of the above-referenced Administrative Order on Consent (“Consent Order”), this letter serves as Nu-West Industries, Inc.’s (“Nu-West”) quarterly progress report demonstrating that all activities associated with the Consent Order are being carried out.

**I. A-34 Lateral Assessment Work Plan**

The following activities were conducted during Second Quarter 2015, pursuant to (or related to) the EPA-approved *A-34 Lateral Assessment Work Plan* (January 9, 2013), prepared pursuant to the Consent Order:

- Nu-West continued providing to EPA and IDEQ monthly submittals *via* FTP site of water level and temperature measured by a pressure transducer and data logger installed in groundwater monitoring well A-34-022 and continued providing pH and fluid conductivity measured during bi-weekly sampling.
- Although not required by an EPA-approved work plan, Nu-West voluntarily installed pressure transducers and data loggers in four additional monitoring wells as requested by EPA in correspondence dated March 6 and 12, 2015. The currently instrumented

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monitoring wells include A-34-022, A-37-025, A-42-020, A-48-026, A-59-025, and A-62-033.

## **II. Groundwater Monitoring Plan**

The following activities were conducted during Second Quarter 2015, pursuant to (or related to) the *Groundwater Monitoring Plan, Revision 3* (November 12, 2014) and subsequent revisions, prepared pursuant to the Consent Order.

- On June 19, 2015, Nu-West submitted to EPA and IDEQ the *1<sup>st</sup> Quarter 2015 Groundwater Monitoring Report*.
- Between May 8 and June 4, 2015, Nu-West conducted quarterly groundwater monitoring in accordance with the approved *Groundwater Monitoring Plan, Revision 3* (November 12, 2014) and modifications approved by EPA in correspondence dated March 6 and 12, 2015. For this event, water level measurements were collected at 115 monitoring wells and groundwater samples were collected from 96 monitoring wells.
- On May 13, 2015, Nu-West conducted a downhole camera inspection of monitoring well A-32-110 as requested by EPA. The camera video log was provided to EPA via FTP site. The results of the camera inspection were discussed during a conference call between Nu-West and EPA on June 22, 2015, where Nu-West agreed to perform additional well development at this location.
- On April 16, 2015, Nu-West collected a groundwater sample from one offsite domestic well (Domestic Well #6) using procedures detailed in the *Groundwater Monitoring Plan, Revision 3* (November 12, 2013).
- Between May 13 and June 25, 2015, Nu-West collected groundwater samples from eight offsite domestic wells and the Arr-Maz production well using procedures detailed in the *Groundwater Monitoring Plan, Revision 3* (November 12, 2014).
- On April 16, May 15-18, and June 11, 2015, Nu-West conducted monthly groundwater monitoring in accordance with the *Groundwater Monitoring Plan, Revision 3* (November 12, 2014). The work included collecting water level



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measurements at 17 monitoring wells and groundwater samples from 7 monitoring wells.

### **III. Request for Termination – AOC RCRA 3013**

On May 8, 2015, Nu-West submitted to EPA a request for termination of the Consent Order. The letter provided a summary of the requirements and objectives of the Consent Order, a summary of the site assessment activities and results, and a request for termination.

In accordance with Paragraph Nos. 75 and 76 of the Consent Order, the certification of a duly authorized representative is included as Attachment A to this letter.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
for P. Scott Burton

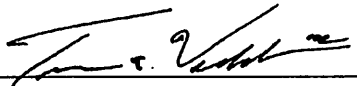
cc: J Wayne Maxie, Nu-West  
Barry N. Burnell, IDEQ

Attachment – Certification

# **ATTACHMENT A**

### **CERTIFICATION**

I certify under penalty of law that the attached Quarterly Progress Report – Second Quarter 2015 (April 1 – June 30) was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: 

Name: Tim Vedder

Title: Plant Manager, Nu-West Conda Phosphate Operations

Date: 7/8/15